Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Uttar Pradesh Appropriation (Vote on Account) Bill, 1993, as passed by Lok Sabha at its sitting held on the 29th March, 1993.

"The Speaker has certified that this Bill is a Money Bill."

(4)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Uttar Pradesh Appropriation Bill, 1993, as passed by Lok Sabha at its sitting held on the 29th March, 1993.

"The Speaker has certified that this Bill is a Money Bill."

(5)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Madhya Pradesh Appropriation (Vote in Account) Bill, 1993, as passed by Lok Sabha at its sitting held on the 29th March, 1993.

"The Speaker has certified that this Bill is a Money Bill."

(6)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Madhya Pradesh Appropriation Bill, 1993, as passed by Lok Sabha at its sitting held on the 29th March, 19933.

"The Speaker has certified that this Bill is a Money Bill."

(7)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Rajasthan Appropriation (Vote on Account) Bill, 1993, as passed by Lok Sabha at its sitting held on the 29th March, 1993."

"The Speaker has certified that this Bill is a Money Bill."

(8)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Rajasthan Appropriation Bill, 1993, as passed by Lok Sabha at its sitting held on the 29th March, 1993"

"The Speaker has certified that this Bill is a Money Bill."

Madam, I lay copy of each of the Bills on the Table.

MOTIONS REGARDING THE THIRTY-THIRD REPORT OF THE COMMITTEE OF PRIVILEGES

SHRI SURESH PACHOURI (Madhya Pradesh): Madam, I beg to move the following Motion:

"That the Thitry-third Report of the Committee of Privileges, presented to Rajya Sabha on the 19th March, 1993, be taken into consideration."

Madam, I also beg to move:

"That this House agrees with the recommendations contained in the Thirty-third Report of the Com-

mittee of Privileges presented to Rajya Sabha on the 19th March, 1993."

Madam, hon. Chairman had received a request from Shri J. S. Tilak, Chairman, Maharashtra Legislative Council for grant of leave of the House to Dr. Shrikant Ramchandra Jichkar, a former Member of the Maharashtra Legislative Council and presently a Member of this House to tender evidence before the Committee of Privileges of that Council relating to a question of alleged breach of privilege and contempt of the Chairman of the Maharashtra Legislative Council. Dr. Jichkar was one of the two sponsors of the privilege notice. Being the first case of its kind where the presence of a Member of Rajya Sabha has been sought to tender evidence before the other House of Parliament or a House of a State Legislature or a Committee thereof, hon. Chairman referred the matter to the Committee of Privileges on February 27, 1993, for laying down an appropriate procedure for the purpose.

Madam, the Committee considered the matter at its meeting held on March 15, 1993 and was of the view that the House should not permit any one of its Members to give evidence, before the other House of Parliament or a House of a State Legislature or a Committee thereof, without receiving a specic request clearly stating the cause and purpose for which his attendance is required and without the consent of the Member whose attendance is required. No Member of the House should give evidence before the other House or a House of a State Legislature or a Committee thereof, without the leave of the House being first obtained. Further, whenever such a request is received, the same may be referred by the Chairman to the Committee of Privileges. On a report from the Committee, a motion may be moved in the House by the Chairman or a Member of the Committee to the effect that the House agrees with the report and further action should be taken in accordance with the decision of the House. The Committee has recommended that in the instant case Dr. Jichkar may be permitted to appear before the Privileges Committee of the Maharashtra Legislative Council.

Madam, the Committee presented its Thirty-third Report to this effect on March 19, 1993, in the House. Copies of the report have already been circulated to hon. Members. I commend that the roport be adopted unanimously. The adoption of the report will be deemed as approval of the House to the procedure recommended by the Committee for dealing with such cases in future and granting of by the House to Dr. Shrikant Ramchandra Jichkar to appear befor the Committee of privileges of Maharashtra Legislative Council.

The question was proposed.

THE DEPUTY CHAIRMAN: Mr. Yashwant Sinha, you want to say something?

SHRI YASHWANT SINHA (Bihar): Madam, I think, the Committee of Privileges has taken a view which is generally in keeping with the dignity, decorum, and the status of this House. I have only one clarification to seek, and that clarification is in regard to the other House. It seems that the Committee of Privileges has decided that any Committee of the other House also comes within this ambit and that no Member of this House should give evidence before a Committee of the other House, without seeking the approval of this whole House. Now, I would like to know the procedure in regard to Joint Committees. There are many Joint Committees of Parliament. What is the procedure which has to be adopted? And I am raising this, Madam, with reference to the Joint Committee on Banking Irregularities and Securities Transactions, the JPC, which has asked Members of this House also to tender evidence. The report of the Privileges Committee of this House is coming now, and a person like me has already tendered evidence before the Joint Parliamentary Committee. Now, am I guilty of breach of privilege of this House? What is the view which the Committee on privileges has taken in regard to the JPC in which Members of this House are also there which is serviced by the Secretariat of the other House? Committees serviced by the Secretariat of the other House are generally known as Committees of the other House.

SHRI H. HANUMANTHAPPA (Karnataka): I support Mr. Yashwant Sinha and he has already covered one part of the point I wanted to raise. The second part is with regard to the Committee on privileges and I think the Committee on Privileges should have taken note of it, and that is regarding a Member tendering evidence before a Committee of the other House or the State Lgislature. But there is a case where the Member himself has referred the matter. There should have ben a distinction made in such cases It is one point which the Committee on Privileges should have taken note of.

SHRI G. SWAMINATHAN (Tamil Nadu): I would like to know with regard to the Select Committees of other Legislatures where something concerning a professional matter may come up and a particular Member of one House may have the expertise on that professional matter. Is theer a bar on the Member of one House to go and tender evidence before a Select Committee of the other House, on a professional matter on which he has the expertise? For instance, take the case of copyright. When the Bill on copyright comes up and is referred to a Select Committee, there may be a journalist Member of another House who may like to go and tender his evidence on the subject, because he has the expertise. Is he prohibited to go and appear before the Committee of the other House to tender evidence as an expert just because the Committee so constituted belongs to another House or some other State Legislature? I would like to have a clarification.

THE DEPUTY CHAIRMAN: Mr. Pachouri, would you like to clarify?

SOME HON. MEMBERS: You can do it.

THE DEPUTY CHAIRMAN: The question is, the matter was considered by the Committee. As far as the case of Dr. Jichkar is concerned, he was the complainant or one of the movers of the motion of privilege. At that time he was a member of the Upper House of the Maharashtra State. Subsequently, he came to this House. The matter was considered in great detail. We had asked Dr. Jichkar whether he was willing to go to give his evidence on the request of the Chairman of Maharashtra State Legislative Council. He gave his con-

sent to go there, and his case was considered. Keeping in view this particular case which came up before the Privileges Committee—which never happened in the past and which has no precedent—it was decided by the Committee after deliberations that to safeguard the Members of this House from being called for evidence before any other Committees, the Privileges Committee should lay down certain parameters and within those parameters, the matter would be considered. That is why I urge upon the Members to take into consideration the 33rd Report of the Committee on Privileges as presented and the motion which is being moved.

SHRI YASHWANT SINHA: What about the clarification I sought on the JPC?

SHRI G. SWAMINATHAN: What about the Select Committees

SHRI P. SHIV SHANKER (Gujarat): You may observe that whatever observations have been made therein are confined to that particular case only. The matter ends there.

THE DEPUTY CHAIRMAN: What Mr. Yashwant Sinha was saying was that possibly a case may arise...

SHRI YASHWANT SINHA: No, the case has already arisen. Not only myself but the hon. Finance Minister who is a Member of this House, tendered evidence before the JPC. We have to make a distinction. I was carefully listening to the report of Mr. Pachouri. He said that no Member of this House will appear before the Committee of the other House. JPC is a Committee of the other House.

THE DEPUTY CHAIRMAN: That is a different matter.

SHRI YASHWANT SINHA: The Committee is know by the Secretariat which services that Committee. The JPC is a Committee of the Lok Sabha.

THE DEPUTY CHAIRMAN: No.

SHRI YASHWANT SINHA: Yes.

THE DEPUTY CHAIRMAN: Let me clarify. (*Interruptions*). Just a minute please.

SHRI S. JAIPAL REDDY (Andhra Pradesh): Madam, may I say something?

THE DEPUTY CHAIRMAN: Let me clarify this. I will give you permission to speak. (*Interruptions*) Order, please. Let me clarify this. (*Interruptions*) Order, please. This is a matter on which he wanted a clarification. The Joint Parliamentary Committee is a Joint Parliamentary Committee. It is not a Lok Sabha Committee or a totally Rajya Sabha Committee. It is a Joint Committee. It does not fall under the purview of this.

SHRI DIPEN GHOSH (West Bengal): Madam, so far as I am aware of the past precedents or the orders or the rulings given by the Chair in respect of Members of this House, if any Member of this House is called by any Committee of the other House or by any Committee of the State Legislatures, the consent of the entire House has to be obtained. Without obtaining the consent of the entire House, no Member of this House can be called by any Committee of any other House. This is the ruling by the Chair.

THE DEPUTY CHAIRMAN: Yes.

SHRI G. SWAMINATHAN: Madam, my point has not been clarified. What about the Select Committees? For example, there may be a Land Reforms Committee of a particular State Assembly. There may be a Land Reforms Committee constituted by a particular House. It may be a Select Committee. Now, I may be a person representing some landed property and I may like to go and tender evidence before that Select Committee. Am I prohibited from doing so? If I have some special knowledge

[Shri G. Swaminathan]

in regard to it. I may like to go and tender evidence before that Select Committee constituted by that particular House. There may be a Committee dealing with a particular matter in which I may be interested. Am I prohibited from appearing before that Committee and tendering evidence? Am I to come to the House and seek its permission before I go there and tender evidence? This has to be clarified.

THE DEPUTY CHAIRMAN: You may be appearing at many other places in your personal capacity as an expert. But if you are called as a Member of this House, we have to make a distinction. You are appearing before a Committee in which capacity, that we have to clarify. If you are appearing there as a Member of this House, permission of the House would then be necessary. But if you are going as an expert—you may be expert on agriculture or, you may be a doctor—you do not have to take the permission of the House.

SHRI G. SWAMINATHAN: I do not know in what capacity I may be called. I may be called as an expert. I may be called as a Member of Parliament. I do not know.

THE DEPUTY CHAIRMAN: If you are called there as a Member of Parliament, you have to take permission. If you are called there as an expert, you do not have to come to the House.

SHRI V. GOPALSAMY (Tamil Nadu): He is an expert in many matters.

SHRI VISHVJIT P. SINGH (Maharashtra): Madam, I would draw your attention to a particular case. This was about two weeks ago. There is a Standing Committee of the Lok Sabha, namely the Committee on Agriculture, with which some Rajya Sabha Members are also associated. This Committee on Agriculture was asked by the Finance Commission to tender evidence before it. I pointed out, at that time, to the Chairman of the Committee on Agriculture. I asked whether it would be correct for us to go and tender evidence before the Finance Commission. The Chairman of the Committee said that we should not go unrepresented. He said: 'When everybody else is going, why should we not go?' Therefore, we went there. I went there and appeared on behalf of the Committee on Agriculture. May I know whether, in future, I would be prevented from such a thing? I was not there is my personal capacity.

THE DEPUTY CHAIRMAN: The Finance Commission is not a Committee of any House. It is a separate Commission.

SHRI VISHVJIT P. SINGH: It is a separate Commission This is what I am saying.

THE DEPUTY CHAIRMAN: It is very clear. You went there to give evidence on behalf of a Committee of which you are a Member. You are a Member of that Joint Committee. Related to the functioning of that Committee, which was constituted by both the Houses, you went there as a Member of that Committee. Secondly, the Finance Commission is not a Committee of Parliament. It is a separate Commission. It is a different matter. It does not fall under the purview of this. (*Interruptions*) You went there in the capacity of a Member of that Committee. Now, let me go ahead with this.

SHRI YASHWANT SINHA: Madam, I wish to raise a matter which also concerns the dignity of the House. It is not exactly connected with the report of the Privileges Committee, but it is another matter which directly concerns to dignity of the House. Yesterday, Madam, I raised the question of drought and famine in...

THE DEPUTY CHAIRMAN: Let me finish this. I have to get it passed. We have to adopt the motion regarding the report of the Committee of Privileges, moved by Shri Suresh Pachouri (*Interruptions*) It cannot be adopted like this. I have to put the motion to vote. Now, the question is:—

"That the Thirty-third Report of the Committee of Privileges, presented to Rajya Sabha on the 19th March, 1993, be taken into consideration."

The motion was adopted:

THE DEPUTY CHAIRMAN: The question is:

"That this House agrees with the recommendations contained in the Thirty-third Report of the Committee of Privileges presented to Rajya Sabha on the 19th March, 1993."

The motion was adopted.

THE DEPUTY CHAIRMAN: Yes, Mr. Abrar Ahmed, you wanted to say something

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PAPERS LAID ON THE TABLE— Contd.

I. Report and Accounts (1991-92) of the Petrofiles Co-operative Limited, Vadodara and related papers.

II. Report and Accounts (1991-92) of the Central Institute of Plastics Engineering and Technology, Madras and related papers.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (DR. ABRAR AHMED): Madam, on behalf of Shri Eduardo Faleiri I lay on the Table a copy each (in English and Hindi) of the following papers:—

(i) (a) Seventeenth Annual Report and Accounts of Petrofils Co-operative Limited, Vadodara, for the year 1991-92, together with the Auditors' Report on the Accounts.

(b) Review by Government on the working of the above Co-operative.

(c) Statement giving reasons for the delay in laying the papers mentioned at (a) above. [Placed in Library. *See* No. LT—3705/93]

(ii) (a) Twenty-fourth Annual Report and Accounts of the Central Institute of Plastics Engineering and Technology, Madras, for the year 1991-92, together with the Auditors' Report on the Accounts.

(b) Review by Government on the working of the above Institute.

(c) Statement giving reasons for the delay in laying the papers mentioned at (a) above

[Placed in Library. *See* No. LT-3706/93]

THE DEPUTY CHAIRMAN: Why, was he busy somewhere?

DR. ABRAR AHMED: Yes, Madam. (*Interruptions*). He has written to me.

SHRI PRAMOD MAHAJAN (Maharashtra): He should have written to you. It is highly objectionable The Chairman's permission must be taken. (*Interruptions*).

THE DEPUTY CHAIRMAN: Sometimes the Ministers are busy in the other House. They might be delayed for laying the papers. There might be some reason because I do not think Mr. Faleiro...

श्री प्रमोद महाजन : आपत्ति इतनी है । मैं यह नहीं कह रहा हूं, कभी-कभी होता है लेकिन अगर पत्र लिखना है तो मंत्री को लिखने की जगह एक अधिकारी को पत्र लिखा जाए । अगर आपको लिखा जाता पत्र और आप अनुमति देतीं तो . . . (**व्यवधान**) ठीक रहता।

श्रीमती सुषमा स्वराज (हरियाणा) : अनुमति आपसे लें और स्पष्ट करें. . . (**व्यवधान**)

उपसभापति : ये जो आब्जेक्शन उठा रहे हैं आईन्दा (**व्यवधान**) एक मिन्ट. . .

Mr. Pachouri, let me convey to the Minister. You can talk to him later on.

If at any time any Minister wro has to lay papers in this House, or has a business which he is unable to do because of some preoccupation in the other House or otherwise, he may kindly write to the Chairman, send a copy to us and to you also so that it should be done in a proper order. Now that is over . . . (*Interruptions*).

श्रीमति सुषमा स्वराज : जरा पढने की उनसे अनुमति मांग. . . (**व्यवधान**)

RE SEVERE DROUGHT IN PALAMAU IN BIHAR

SHRI YASHWANT SINHA (Bihar): Madam, I wish to raise a matter which concerns directly the dignity of this House. You will recall that yesterday, when you were in the Chair, I raised the question of the terrible drought in Palamau in Bihar and the starvation deaths which are taking place there. This sentiment was shared by the entire House. Mr. Dayanand Sahay and Mr. Ahluwalia also spoke and then the hon. Leader of the House responded. (*Interruptions*) There was a demand made in this House yesterday and it was a repetition of the demand which had been made earlier in this House that a Committee or a team from the Rajya Sabha should visit the drought-affected areas to assess the situation for itself and report to the House. This demand has been pending here and the Government has not been responding. Yesterday the same issue was raised in the other House and the Government responded by saying that they have no objection to a Committee of the other House visiting the drought-affected areas, and the hon. Speaker has given a ruling. Here when the Leader of the House responds and there when the Minister of State for Parliamentary Affairs responds, there is a complete difference in their responses. This is a very funny situation where the Government is not sure of its own mind. The Home Minister, who is the Leader of the House, responds in one way, the Parliamentary Affairs Minister in the other House responds in the other way and the dignity and decorum of this House has been severely compromised because we have not yet agreed. You also, Madam Deputy Chairman, have not given a directive to the Government that they should agree to send a team of this House to the drought-affected areas of Palamau in Bihar, to the drought-affected areas in Madhya Pradesh and other places. The situation is serious. Now this is a Council of States. We represent the States here and if this Council of States is not competent, I would like to know how we are relating ourselves to the other House. The other House will send the team. The Government will support sending a team of the other House to the drought-affected areas, but here they will not respond, this Council of States will not be able to send a team. What has happened to this House? Even in the coverage of the news, Madam Deputy Chairman, I bring it to your notice with a great deal of sorrow, because I do